

MEMORANDUM

*To:* Cultural Resource Consultants and Proponents Developing Cell Towers in Utah

*From:* Wilson Martin, State Historic Preservation Officer

*Date:* March 2, 2006

*Subject:* Submission packet to Utah State Historic Preservation Office (SHPO) in compliance with Federal Communications Commission (FCC) Cell Tower Programmatic Agreement (PA).

On October 5, 2004, the Commission released a Report and Order, FCC 04-222, adopting the Nationwide Programmatic Agreement regarding the Section 106 National Historic Preservation Act Review Process (NPA), signed by the Advisory Council on Historic Preservation (ACHP) and the National Conference of State Historic Preservation Officers (NCSHPO) and amending Section 1.1307(a)(4) of the Commission's rules, 47 C.F.R. §1.1307(a)(4). See: <http://wireless.fcc.gov/siting/npa.html>

This agreement stipulates submission to the SHPO of a "packet" for New Towers and Collocations. In an effort to streamline this process further and reduce paperwork, our office is willing to accept and provide official comment on packets that have only a limited portion of the materials required by the PA. We note, that this memo does not preclude compliance with the PA overall, applies only to submissions made to our office, does not preclude the right of the FCC to require that documentation noted in the PA be maintained, and does not preclude the rights of other agencies (if involved) to require particular documentation. Rather, we are simply stating that we are able to accept a shorter packet of materials than the one stipulated in the PA, in order to provide the SHPO comment on the effects determinations mandated by the PA. We will also continue to accept packets in the format noted in the PA.

Effective immediately, the Utah SHPO will accept submission packets containing the following materials:

For New Towers (FCC Form 620):

- Form 620 Answers to Questions 1-5, certification and signature
- Attachment 1 – Resumes. We only need this attachment if you have not previously submitted said resumes to our office.
- Attachment 2 – Additional Site Information. This summary can be placed within a single letter (see note below after Attachment 10)
- Attachment 3 - A summary of results of tribal consultation. However, we do not require copies of relevant documents. We advise proponents and consultants, however, to maintain these records. This summary can be placed within a single letter (see note below after Attachment 10)
- Attachment 4 – A summary of contacts with local governments. However, we do not require copies of relevant documents. We advise proponents and consultants, however, to maintain these records. This summary can be placed within a single letter (see note below after Attachment 10)
- Attachment 5 – A description of measures to obtain public involvement. However, we do not require copies of relevant documents. We advise proponents and consultants, however, to maintain these records. This summary can be placed within a single letter (see note below after Attachment 10)
- Attachment 6 – List additional consulting parties. However, we do not require copies of relevant documents. We advise proponents and consultants, however, to maintain these records. This summary can be placed within a single letter (see note below after Attachment 10)
- Attachment 7 – Description of APE for direct and visual effects. This can be brief. This summary can be placed within a single letter (see note below after Attachment 10).
- Attachment 8 – Identified historic properties in visual effects APE (see note below after Attachment 10)
- Attachment 9 – Identified historic properties in direct effects APE (see note below after Attachment 10).

ANTIQUITIES SECTION

Attachment 10 – Effects on identified properties (see note below).

NOTE: For Attachments 2-10 we can accept a letter report or other report that contains the information requested by the attachments.

Attachment 11 – Attach in full, or attach the required maps as part of the report.

Attachment 12 – Attach in full, or attach the required maps as part of the report.

Bibliography (if needed).

For Collocations (FCC Form 621):

Form 621 Answers to Questions 1-5, certification and signature

Attachment 1 – Resumes. We only need this attachment if you have not previously submitted said resumes to our office.

Attachment 2 – Additional Site Information. This summary can be placed within a single letter (see note below after Attachment 10).

Attachment 3 - A summary of results of tribal consultation. However, we do not require copies of relevant documents. We advise proponents and consultants, however, to maintain these records. This summary can be placed within a single letter (see note below after Attachment 10)

Attachment 4 – A summary of contacts with local governments. However, we do not require copies of relevant documents. We advise proponents and consultants, however, to maintain these records. This summary can be placed within a single letter (see note below after Attachment 10)

Attachment 5 – A description of measures to obtain public involvement. However, we do not require copies of relevant documents. We advise proponents and consultants, however, to maintain these records. This summary can be placed within a single letter (see note below after Attachment 10)

Attachment 6 – List additional consulting parties. However, we do not require copies of relevant documents. We advise proponents and consultants, however, to maintain these records. This summary can be placed within a single letter (see note below after Attachment 10)

Attachment 7 – Description of APE for direct and visual effects. This can be brief. This summary can be placed within a single letter (see note below after Attachment 10)

Attachment 8 – Identified historic properties in visual effects APE (see note below after Attachment 10).

Attachment 9 – Identified historic properties in direct effects APE (see note below after Attachment 10)

Attachment 10 – Effects on identified properties (see note below after Attachment 10).

NOTE: For Attachments 2-10 we can accept a letter report or other report that contains the information requested by the attachments.

Attachment 11 – Attach in full, or attach the required photographs as part of the report.

Attachment 12 – Attach in full, or attach the required maps as part of the report.

Bibliography (if needed).

Summary:

In essence, although we will continue to accept packets that follow the format described in the PA, and while we do not in any way intend for this memo to supersede any requirements for compliance with the PA or maintenance of records for the FCC, we do state that we will accept submission packets that cover the essential requirements of the PA in an efficient format. In most cases, submission of the answers to questions, a letter report that covers the items in Attachments 2-10, and submission of photographs and maps following the standards set in Attachments 11 and 12, will be acceptable.

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